

weapons cache, and secured valuable intelligence.

Sergeant Hester's actions were cited as having "saved the lives of numerous convoy members." For her bravery, she was awarded the Silver Star medal on June 16, 2006.

Sergeant Hester's courage, dedication, and sacrifice on behalf of her country and her fellow soldiers make her a hero and a role model that every young Kentuckian can emulate. I am proud that a woman of such character and determination hails from the Bluegrass State, and I know the entire Senate joins me in thanking her for her service in defense of America and America's ideals.

HONORING OUR ARMED FORCES

SERGEANT FIRST CLASS RICHARD J. HENKES

Mrs. LINCOLN. Mr. President, it is my honor to pay tribute to the life of SFC Richard J. Henkes, a brave soldier who gave his life in support of Operation Iraqi Freedom. Sergeant Henkes will be remembered as a courageous soul, a proud father, and an inspiration to those who knew him best. The 200 people who gathered at his memorial service are a testament to the number of lives he touched. They are lives that he continues to touch through the legacy he leaves behind.

Sergeant Henkes wrestled and ran track in high school, but his true passion was snowboarding. He shared this passion with his 6-year-old daughter, Isabel, as well as with his 17-year-old niece, Cassidy, who fondly remembers the caring uncle who was always there to pick her up when she would fall. Above all, Sergeant Henkes was a compassionate, outgoing, and fun-loving guy with a great sense of humor. It was this compassion for others and desire to make a difference that drove him to carry on his family's rich history of military service, dating back to World War I.

Stationed out of Fort Lewis, WA, Sergeant Henkes served with C Company, 2nd Battalion, 3rd Infantry Regiment, 2nd Infantry Division. In Iraq, he was recently placed in command of his platoon—a challenge that he embraced. Tragically, Sergeant Henkes died on September 3 from injuries sustained from a roadside bomb in Mosul, Iraq. People say he knew of the dangers of war, but he believed his mission would make a difference in the lives of countless people and that it was worth the sacrifice. Mourners paid tribute to Sergeant Henkes in the Woodburn, OR, National Guard Armory on September 11. At the ceremony, he was posthumously awarded the Bronze Star and Purple Heart service medals by his battalion.

We grieve the loss of another soldier who made the ultimate sacrifice to defend the freedoms we all cherish. Sergeant Henkes leaves behind a legacy that will live on through the people he inspired and the young daughter who will grow up knowing that her father

lived to make a difference in the world. My thoughts and prayers are with his daughter Isabel, his parents, Chris and Jim Stanton of Ashdown, AR, and Richard and Karen Henkes of Woodburn, OR, and to all those who knew and loved him.

Mr. SUNUNU. Mr. President, I rise today in support of S. 3549, the Foreign Investment and National Security Act. S. 3549 reforms the Committee on Foreign Investment in the United States, which is more commonly known as CFIUS. CFIUS is the entity of our Federal Government charged with reviewing any type of foreign investment in the United States, and reviews all corporate transactions involving foreign-owned companies. Its top priority has always been to protect America's national security interests, and that must remain its main focus. However, this foremost concern can and must be addressed without jeopardizing foreign investment in our country—a critical economic engine.

This CFIUS reform bill represents an effort by the Senate to ensure that the national security interests of the United States are protected in the context of foreign investment in U.S. industries. As a member of the Banking Committee, I supported this effort as a necessary way to restore the confidence of the American people in the CFIUS process, and I commend Chairman SHELBY and Ranking Member SARBANES and my colleagues on the committee for their work to date on this legislation. Though I supported Senate passage of the bill in an effort to keep this important legislation moving through the legislative process, I want to highlight two provisions in the bill with which I have significant concerns because they will have a chilling effect on foreign investment.

First, the provision that potentially extends the initial 30-day review period to a 60-day period would place all foreign investors, including those of our closest allies, at a competitive disadvantage. Under current law, most transactions, foreign and domestic, require an antitrust review under the Hart-Scott-Rodino Act which takes a minimum of thirty days. However, the foreign investor is also, appropriately, required to undergo a 30-day CFIUS review, which may occur concurrently with the HSR review. This process allows a thorough review without putting one type of investor at a disadvantage to another. S. 3549, however, would potentially expand the 30-day CFIUS review to 60 days, creating a much longer delay and one that is disconnected from the HSR-mandated time table. This would create a substantial competitive disadvantage. Our government ought to be able to quickly identify and clarify the national security implications of a given transaction certainly within the 30 days prescribed under current law.

The second provision with which I have concern would require repeated and detailed notifications about ongoing

transactions to many Members of Congress and State Governors. Such notifications would only politicize transactions, do little to resolve national security concerns and undermine the CFIUS process.

This bill makes a strong attempt to strike the appropriate balance between national security, sound economic policy, and appropriate oversight. The two provisions I have highlighted upset this balance, but because I support this overall effort, I look forward to continued collaboration with Senators SHELBY and SARBANES and the other members of the Banking Committee as we address these issues in conference with the House.

NOMINATION OF FRANCISCO AUGUSTO BESOSA

Mr. BAUCUS. Mr. President, I would have voted in support of the nomination of Francisco Augusto Besosa to the U.S. District Court for the District of Puerto Rico. However, I was on my way back from Montana and was unable to make it to the Senate floor before the vote ended.

Mr. Besosa is well qualified for the position and will be a good addition to the court.

Francisco Augusto "Frank" Besosa is partner and head of the litigation department of Adsuar Muniz Goyco Besosa, P.S.C. in San Juan, Puerto Rico. After graduating from Brown University in 1971, he served 5 years in active military service in military intelligence. He was honorably discharged from Inactive Reserve from the U.S. Army with the rank of captain in 1977. He earned a J.D. from Georgetown University Law Center in 1979. After law school, Mr. Besosa returned to Puerto Rico and joined the law firm of O'Neill & Borges.

With the exception of 3 years in the 1980s as an assistant U.S. attorney, Mr. Besosa has spent his entire legal career in private practice in several firms conducting civil and commercial litigation in Puerto Rico. His work has focused on banking and bankruptcy; securities regulation; admiralty; insurance; torts including personal injury, medical malpractice, and product liability; telecommunications and intellectual property both at the trial and appellate level.

Mr. Besosa is a member of numerous bars including the Puerto Rico Bar Association, the Federal Bar Association, American Bar Association, District of Columbia Bar Association, U.S. Court of Appeals for the First Circuit and the Federal Circuit, and the Hispanic National Bar Association. He has held a variety of leadership positions in the Federal Bar Association Puerto Rico Chapter including director, president-elect, vice president, secretary and treasurer.

The ABA has recommended Mr. Besosa for the position with a unanimous "well qualified" rating.

Given his qualifications and experience, Mr. Besosa is a good fit for the